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 <p>TRANSMITTAL FORM</p> <p><i>(to be used for all correspondence after initial filing)</i></p>	Application Number	10/742,301	
	Filing Date	12/18/2003	
	First Named Inventor	McGall	
	Art Unit	1637	
	Examiner Name	Cynthia Wilder	
Total Number of Pages in This Submission	180	Attorney Docket Number	3402.1

**ENCLOSURES (check all that apply)**

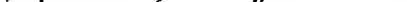
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm	Affymetrix, Inc		
Signature			
Printed Name	Thomas Malone		
Date	6/19/05	Reg. No.	40,078

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Typed or printed name	Pamela Leong	Date	4/28/05

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PATENT  
Attorney Docket No. 3402.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McGall

Serial No: 10/742,301

Filing Date: December 18, 2003

**Title: METHOD FOR PRODUCING  
A HIGH DENSITY NUCLEIC ACID  
ARRAY USING ACTIVATORS**

Examiner: Cynthia B. Wilder

Group Art Unit: 1637

**INFORMATION DISCLOSURE  
STATEMENT**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR § 1.56, § 1.97 and § 1.98, the documents listed on the accompanying U.S. Patent & Trademark Office's Modified Form-1449 are called to the attention of the Examiner for consideration in connection with the above-identified patent application. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Citation of these documents shall not be construed as (1) an admission that the documents are necessarily prior art with respect to the instant invention; (2) a representation that a search has been made; or (3) an admission that the information cited herein is, or is considered to be, material to patentability in any way, including that as defined in § 1.56(b).

Applicants believe that no fee is required for submission of this statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby

authorized to charge the required fees to Account No. 01-0431 in order to have this  
Information Disclosure Statement considered.

Dated: 6/27/05

Respectfully submitted,



Thomas E. Malone  
Reg. No. 40,078

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STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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of

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## Complete if Known

Application Number	10/742,301
Filing Date	12/18/2003
First Named Inventor	McGall
Art Unit	1637
Examiner Name	Cynthia B. Wilder
Attorney Docket Number	3402.1

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1	US- 5,143,854	09/01/1992	Pirrung et al.	
	2	US- 6,429,275	08/06/2002	McGall et al.	
	3	US- 6,410,675	06/25/2002	McGall et al.	
	4	US- 6,307,042	10/23/2001	Goldberg et al.	
	5	US- 5,959,098	09/28/1999	Goldberg et al.	
	6	US- 5,919,523	07/06/1999	Sundberg et al.	
	7	US- 5,384,261	01/24/1995	Winkler et al.	
	8	US- 6,050,193	04/18/2000	DeBoer et al.	
	9	US- 4,517,338	05/14/1985	Urdea et al.	
	10	US- 4,562,157	12/31/1985	Lowe et al.	
	11	US- 4,762,881	08/09/1988	Kauer	Col. 1, line 1-col. 3, line 52
	12	US- 3,849,137	11/19/1974	Barzynski et al.	
	13	US- 4,631,211	12/23/1986	Houghten	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	1	PCT WO 92/10092	06/25/1992	Fodor et al.		

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SignatureDate  
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet

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Complete if Known

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First Named Inventor	McGall
Art Unit	1637
Examiner Name	Cynthia B. Wilder

Attorney Docket Number

3402.1

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	PATCHORNIK, A., "Photosensitive Protecting Groups," <i>Journal of American Chemical Society</i> , Oct. 21, 1970, 92 (21): 6333-6335.	
	2	AMIT, B. ET AL., "Photosensitive Protecting Groups of Amino Sugars and Their Use in Glycoside Synthesis. 2-Nitrobenzyloxycarbonylamino and 6-Nitroveratryloxycarbonylamino Derivatives," <i>Journal of Organic Chemistry</i> , 1974, 39(2): 192-196.	
	3	REICHMANIS, E. ET AL., "o-Nitrobenzyl Photochemistry: Solution vs. Solid-State Behavior," <i>Journal of Polymer Science: Polymer Chemistry Edition</i> , 1985, 23: 1-8.	
	4	"5-Ethylthio-1H-tetrazole as an Activator in Oligonucleotide Synthesis," <i>Annovis Technical Bulletin</i> , No. 56, September 2001, Annovis, Inc.	
	5	WINCOTT, F. ET AL., "Synthesis, deprotection, analysis and purification of RNA and ribozymes," <i>Nucleic Acids Research</i> , 1995, 23, 14: 2677-2684.	
	6	TSOU, D. ET AL., "Large Scale Synthesis of Oligoribonucleotides on High-Loaded Polystyrene (HLP) Support," <i>Nucleoside Nucleotide</i> , 1995, 14 (7): 1481-1492.	
	7	WRIGHT, P. ET AL., "Large Scale Synthesis of Oligonucleotides via Phosphoramidite Nucleosides and a High-Loaded Polystyrene Support," <i>Tetrahedron Letters</i> , 1993, 34 (21): 3373-3376.	
	8	ELEUTERI, A. ET AL., "Pyridium trifluoroacetate/N-methylimidazole as an efficient activator for oligonucleotide synthesis via the phosphoramidite method," <i>Organic Process Research and Development</i> , 2000, 4: 182-189.	
	9	HAYAKAWA, Y. ET AL., "Acid/Azole Complexes as Highly Effective Promoters in the Synthesis of DNA and RNA via the Phosphoramidite Method," <i>Journal of American Chemical Society</i> , Aug. 29, 2001, 123 (34): 8165-8176.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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